

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

RECEIVED: **11/20/20**
U.S. DISTRICT COURT
EASTERN DISTRICT COURT
DAVID A. O'TOOLE, CLERK

UNITED STATES OF AMERICA

No. 1:15-CR-00069-MAC-KF

vs.

Honorable Crone

October 28, 2020

Ian Christian Anderson

/

EMERGENCY / EXPEDITED
SUPPLEMENTAL MEMORANDUM IN SUPPORT OF MOTION FOR
REDUCTION IN SENTENCE (COMPASSIONATE RELEASE)
PURSUANT TO 18 U.S.C. § 3582(c)(1)(A)(i)

COMES NOW, Ian Christian Anderson, Petitioner Pro Se, with Supplemental Memorandum in support of his recent Motion for Reduction in Sentence (Compassionate Release) to this Honorable Court, pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). He has moved this Court to reduce his sentence to time served, because extraordinary and compelling reasons exist that warrant such a reduction.

This supplemental memorandum serves to update the Court as to a new and emerging outbreak of COVID-19 at Mr. Anderson's prison, FCI Fort Dix, and to provide additional documentation in support of his § 3582 motion.

Attached are sworn affidavits from Mr. Anderson's father and his father's wife, swearing under penalty of perjury that Ian Anderson will become their sole caregiver upon his release from federal prison. (See Attached: Affidavits) They are both elderly with failing health and they need Mr. Anderson home during this global pandemic.

At the time of the writing of this memorandum 56 inmates within Petitioner's housing unit have been quarantined because they tested positive for COVID-19 between October 18th and October 27th. (See Attached: 5812 COVID REMOVALS)

On September 29, 2020, FCI Fort Dix began the intake of more than 200 inmates from FCI Elkton, one of the federal prisons hardest hit by the novel coronavirus 2019 ("COVID-19"). On that date six (6) buses full of Elkton's inmates arrived at Fort Dix and were subsequently tested for the virus. Two of those new inmates tested positive for COVID-19 and were placed into quarantine. The following day the prison notified the inmate population that cases of Legionaire's Disease had been discovered on the East side of the compound and a unit was quarantined. One week later, four (4) inmates were confirmed positive for COVID-19, and another tested positive 3 days later. It was not until October 9th that the administration at FCI Fort Dix made the inmate population aware that there were active cases of COVID-19 on the compound; more than ten (10) days after the positive tests of the Elkton inmates. On October 16th there were nine (9) inmates with active cases of COVID-19 on the compound and two (2) staff confirmed sick. On October 18th there were 9 inmates and 5 staff confirmed sick.

On October 19th, 2020, FCI Fort Dix administration sealed Housing Unit 5812 (Petitioner's unit) and declared it on 'Full Outbreak Quarantine'. At that time 13 inmates were tested in building 5812 and 3 of Petitioner's neighbors were confirmed with COVID-19. Unit Manager Byrd and Health Services Administrator Wilk held a townhall meeting for the inmates in Unit 5812, notifying them that there were multiple confirmed cases within the building and that all inmates would be confined to their rooms and floors, and that ALL inmates of Unit 5812 (230 of them) would be tested on October 20th. From October 18th until October 27th fifty-six (56) inmates from Petition's housing unit have tested positive for COVID-19 and been quarantined. As of October

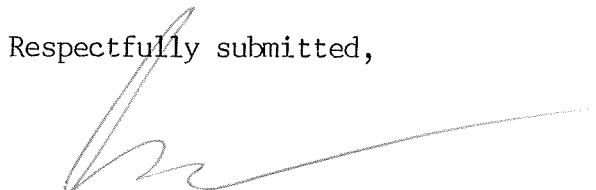
28th, however, the BOP's website is only showing 32 confirmed cases of inmates and 8 staffers.

Needless to say, this Petitioner is in grave danger due to his elevated risk for infection and complications or death if he becomes infected with COVID-19. FCI Fort Dix is an infected prison and its number of confirmed cases is growing rapidly.

For the reasons listed in his initial Motion for Reduction in Sentence, and in this supplemental memorandum, Mr. Anderson respectfully requests that the Court grant his motion for compassionate release and immediately release him from the custody of the Bureau of Prisons. There exist extraordinary and compelling reasons that warrant such relief.

Respectfully submitted,

Date: 11/15/20



Ian Christian Anderson
Petitioner Pro Se
Reg. No. 58663-037
FCI Fort Dix
P.O. Box 2000
Joint Base MDL, NJ 08640

SWORN AFFIDAVIT

County of)
) ss:
State of)

Roger Wayne Anderson
5533 Channing Road
Baltimore, MD 21229

I, Roger Wayne Anderson, do swear under the penalty of perjury that the following statement is true and correct to the best of my knowledge, pursuant to 18 U.S.C. § 1746.

I, Roger Wayne Anderson, live with my elderly wife, Carol Francis Anderson (75 years old) at the address listed above. I am 72 years old and suffer from health issues that put me at an elevated risk to infection and complications if infected by the COVID-19 virus. I have advanced Hepatitis C, Arthritis, am a former Heroin user, cigarette and marijuana smoker, and habitual drinker, all of which are comorbidity factors for COVID-19. I am unable to drive a vehicle safely and only drive during daylight hours, and only in dire circumstance.

I swear that, upon his release from prison, my son Ian Christian Anderson will become my primary caregiver. I need his assistance to: drive me to medical appointments, go grocery shopping for me, perform routine maintenance around my home, cook meals, and assist me with my activities of daily living.

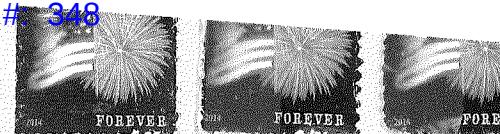
My wife and I desperately need Ian's help right now during this global pandemic.

Signed and sworn,

Date: 11/15/20



Roger Wayne Anderson



Roger & Carol Anderson
5533 Channing Road
Baltimore, MD 21229

Honorable Judge Crone
c/o Clerk of the Court
United States District Court
Eastern District of Texas
300 Willow Street
Beaumont, Texas 77701